

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

|                                    |   |  |
|------------------------------------|---|--|
| <b>HELEN MOODY, an individual;</b> | ) |  |
| <b>CATHERINE KEATON, an</b>        | ) |  |
| <b>individual,</b>                 | ) |  |
|                                    | ) |  |
| <b>Plaintiffs,</b>                 | ) |  |
|                                    | ) |  |
| <b>vs.</b>                         | ) | <b>Civil Action No.: 2:07cv318-WHA</b> |
|                                    | ) |  |
| <b>ALLSTATE INSURANCE COMPANY,</b> | ) |  |
| <b>a corporation; SHAWN DEE</b>    | ) |  |
| <b>THORNTON, an individual;</b>    | ) |  |
| <b>UNITED SERVICES AUTOMOBILE</b>  | ) |  |
| <b>ASSOCIATION, a corporation,</b> | ) | <b>Jury Trial Demanded</b>             |
|                                    | ) |  |
| <b>Defendants.</b>                 | ) |  |

**JOINT MOTION FOR EXTENSION OF DEADLINES  
AND CONTINUANCE OF TRIAL**

COME NOW the Plaintiffs in this case and Defendant Allstate Insurance Company, and respectfully request this Court to extend the deadlines currently set under the March 4, 2008 Amended Uniform Scheduling Order and the trial date currently set for August 11, 2008. In support of this motion, the parties state as follows:

1. Plaintiffs have filed an Amended Complaint adding United States Auto Association ("USAA") as a defendant in this case.

2. Counsel for Allstate and the Plaintiffs have agreed that mediation may be beneficial in this case, assuming USAA's participation. Counsel for the Plaintiffs has engaged in preliminary settlement discussions with USAA since it has now been served. All parties are optimistic that this matter will resolve.

3. Counsel for Allstate and the Plaintiffs agree to this motion. Plaintiffs' counsel represents to the Court that the claims examiner for USAA also agrees to this motion.

WHEREFOR, the parties respectfully request that the Court extend the current deadlines and continue the trial date for approximately 90 days.

Respectfully submitted this 2nd day of May, 2008.

s/ Mark M. Hogewood  
Mark M. Hogewood  
ASB-7651-E36M  
[mh@wallacejordan.com](mailto:mh@wallacejordan.com)  
Attorney for Plaintiffs

**OF COUNSEL:**

**WALLACE, JORDAN, RATLIFF &  
BRANDT, LLC**  
Post Office Box 530910  
Birmingham, Alabama 35253  
Telephone: (205) 870-0555  
Facsimile: (205) 871-7534

s/ Edward C. Hixon  
Edward C. Hixon  
Attorney for Defendant Allstate  
Insurance Company

**OF COUNSEL:**

**SLATEN & O'CONNOR, P.C.**  
Winter Loeb Building, Ste. 101  
105 Tallapoosa Street  
Montgomery, AL 36104

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                             |   |                                 |
|-----------------------------|---|---------------------------------|
| HELEN MOODY, an individual; | ) |                                 |
| CATHERINE KEATON, an        | ) |                                 |
| individual,                 | ) |                                 |
|                             | ) |                                 |
| Plaintiffs,                 | ) |                                 |
|                             | ) |                                 |
| vs.                         | ) | Civil Action No.: 2:07cv318-WHA |
|                             | ) |                                 |
| ALLSTATE INSURANCE COMPANY, | ) |                                 |
| a corporation; ET AL.,      | ) |                                 |
|                             | ) |                                 |
| Defendants.                 | ) |                                 |

CERTIFICATE OF SERVICE

I certify that on this 2nd day of May, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Edward C. Hixon, Esq., Slaten & O'Connor, P.C., Winter Loeb Building, Ste. 101, 105 Tallapoosa Street, Montgomery, AL 36104;** and I certify that I have mailed by U.S. Mail the foregoing to the following non-CM/ECF participant: **Shawn Thornton, 407 Green Ridge Road, Montgomery, AL 36109 and USAA, c/o William C. Wood, Esq., Norman, Wood, Kendrick and Turner, Financial Center, Suite 1600, 505 20th Street North, Birmingham, AL 35203.**

Respectfully submitted,

s/ Mark M. Hogewood

Mark M. Hogewood  
Wallace, Jordan, Ratliff & Brandt, L.L.C.  
Post Office Box 530910  
Birmingham, Alabama 35253  
Voice: (205) 870-0555  
Fax: (205) 871-7534  
E-mail: [mhogewood@wallacejordan.com](mailto:mhogewood@wallacejordan.com)